



# **ENVIRONMENTAL CONCERNS**

**Washington State**

**Emergency Management Division**

# EMERGENCY WORK

- An Applicant is required to notify the appropriate local, State and Federal regulatory agencies as soon as emergency work commences or shortly thereafter.
- Make your emergency contacts
- Document your emergency contacts
  - Emergency Contact Log
  - Copies of email and responses



# DOCUMENTATION

- For completed or partially completed emergency work, the Applicant must provide the following documentation:
  - Copies of permits acquired from the necessary regulatory agencies and/or
  - Copies of notification to the regulatory agencies during their application for funding assistance or
  - Copies of emails or telephone logs of contacts verifying contact and required permits/conditions applicable to emergency work.
- **Work in violation of local, State, or Federal laws may be ineligible for FEMA funding**



# IN WATER WORK

- Prior to beginning in-water work, the Applicant should contact
  - Washington Department of Fish and Wildlife (WDFW)
  - U.S. Fish and Wildlife Service (USFWS)
  - National Marine Fisheries Service (NMFS)
  - U.S. Army Corps of Engineers Regulatory (USACE).



# COMMON PROJECTS WITH ENVIRONMENTAL CONCERNS

- Debris disposal other than to a permitted landfill
- Where the foot print changes
- Affecting a historic or potentially historic site
- Affecting a threatened or endangered species
- Affecting a wetland, floodplain, or body of water
- Involving oil and hazardous materials
- Known or suspected environmental concerns



# ENVIRONMENTAL LAWS IN EFFECT

- National Environmental Policy Act (NEPA)
- Endangered Species Act (ESA)
- National Historic Preservation Act (NHPA)
- Magnuson-Stevens Fisheries Conservation and Management Act (MSA)
- Resource Conservation and Recovery Act (RCRA)
- Coastal Zone Management Act (CZMA)
- Clean Water Act - Sections 401 and 404 (CWA)
- Clean Air Act (CAA)
- Rivers and Harbors Act - Section 10
- Federal Executive Orders for Wetlands (EO 11990) and Floodplains (EO 11988)



# REQUIRED IMMEDIATE REPAIRS

- Take pictures – photos, videos, digital
- Crews need to document damages and actions taken in daily logs
- Track equipment & material costs by site
- Track labor costs by person by project
- Track *all* of your costs involved with damage assessment separately
- Environmental / Historic precautions
  - Document emergency contacts with USACE, WDOE, USFWS, NMFS, and WDFW





# **PROJECT WORKSHEETS & COST ELIGIBILITY**

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# GENERAL PROGRAM ELIGIBILITY



# PW FORMULATION TEAM

- Team Assigned to Applicant
  - State Public Assistance Coordinator (PAC) – Your Long Term Point of Contact
  - FEMA PAC
    - Project Specialists
    - Mitigation Specialists
    - Environmental Specialists
    - Historic Specialists



# PW FORMULATION

- List of Projects
- Timelines for completion
- Damage Descriptions & Dimension
- Scope of Work – What will it take to put it back?
- Estimates
- Forms
- Supporting Documentation



# COST ELIGIBILITY

- Reasonable and necessary cost to accomplish eligible work
- Complies with federal, state, and local laws and regulations
- Credits - Insurance proceeds, salvage value, purchase discounts must be deducted



# ELIGIBLE COSTS

- Salaries, wages and fringe benefits
  - Emergency Work – Overtime Only
  - Permanent Work – Regular and Overtime
- Materials / supplies
- Applicant owned equipment (hourly rates)
  - FEMA rates or applicant rates, whichever is lower
- Contract costs incurred for:
  - Eligible Work
  - Rental Equipment
  - Engineering & Design Services



# DONATED RESOURCES

- Who worked, hours worked, on what days, and what did they do? (**Who, what, where, when and why**)
- Materials – invoice for donated resource
- Salary Schedule – to support hourly rate to be recognized
- Credit against non-federal share for Category A and B Work



# DOCUMENTATION

- Items to Maintain:
  - Mutual Aid Agreements
  - Collective Bargaining Agreements
  - EOC Logs; Job Site Logs; Inventory Logs
  - Contract Logs; Purchasing Logs
  - Insurance Policies!





# **PROJECT WORKSHEET REVIEW & PAYMENT PROCESS**

**Washington State**

**Emergency Management Division**



# PW REVIEW PROCESS

- PWs submitted for review
  - Public Assistance Coordinators
  - QA/QC
  - Environmental
  - Historical
  - Insurance
  - Floodplain
  - Final – FEMA & State



# PROJECT SPECIALISTS & PACs

- Documentation to Project Specialists for PWs
  - The amount of time it takes to provide the Project Specialist with documentation directly affects how long it will be until an applicant receives funding
  - Project Specialists work with multiple applicants to write PWs
- State PACs are the primary point of contact once all PWs are written and for:
  - Programmatic issues
  - Appeals
  - PS&E Reviews
  - Grant Closeout



# PW REVIEW TIMEFRAME

- Most projects make it through review a 1-2 weeks.
- Some projects can take months or even years to get through review
- Providing adequate documentation of permitting, reasonable cost estimates, and quantifiable damages is essential for a speedy review



# PAYMENT PROCESS

- PW is approved and funding is obligated
- Funding Bundle is sent to applicant
  - Full copy of final PW
  - A-19 Invoice Voucher
- If funding conditions are met, funds are direct deposited into applicants account
  - Insurance Commitment
  - State Contracts & Documents



# PAYMENT TIMEFRAME

- Most projects are paid out within a month of obligation
- The approved amount of the project determines if the project is considered a “small project” or a “large project”.
- The payment process is different for a small project versus a large project



## SMALL PROJECTS – LESS THAN \$63,200

- Funding can be paid when projects are approved.
- Work does not have to be completed prior to payment.
- Requires signed A-19 Invoice Voucher
- Work is certified as complete on Small Project Certification Form within 60 days following completion



# LARGE PROJECTS – MORE THAN \$63,200

- Progress payments as work is completed
- 10% Retainage held from the Federal & State shares
- Final eligible costs based upon actual costs
- Certified as complete on Statement of Documentation Form – Due within 60 days of physical completion and pay out of final retainage
- Final Inspection and financial review is conducted
- Retainage released



# COMMON AUDIT FINDINGS

- These are the most common Audit Findings that result in a loss in funding for applicants:
  - Failure to adequately describe work performed
  - Claiming indirect costs
  - Lack of documentation for fringe benefits
  - Leave time
  - Inability to reconcile equipment hours
  - Failure to provide clear audit trail
  - Failure to segregate ineligible work
  - Applicant fails to gain permission for Alternate or Improved projects

